

MINUTES

UTAH SOCIAL WORK LICENSING BOARD MEETING

February 1, 2007

**Room 475 – 4th Floor – 9:00 A.M.
Heber Wells Building**

CONVENED: 9:06 A.M.

ADJOURNED: 12:18 P.M.

**Bureau Manager:
Board Secretary:**

Noel Taxin
Karen McCall

Board Members Present:

Tammer M. Attallah
Joyce Stowe-St. Clair
Dennis R. Frandsen
Jean V. McAfee
Steven Fisher, Chairperson
Mark de St. Aubin

Board Members Absent:

Patsy J. Smith

Guests:

F. David Stanley, Division Director

Division Staff Absent:

Noel Taxin, Bureau Manager, was excused for the first few minutes as she was at the Legislature. 9:16 am Ms. Taxin arrived at the meeting.

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Read and approve the December 4, 2006 Minutes.

Read and approve the January 4, 2007

DECISIONS AND RECOMMENDATIONS

Mr. Frandsen made a motion to approve the minutes as read. Ms. Stowe-St. Clair seconded the motion.

Mr. Attallah, Ms. Stowe-St. Clair, Mr. Fisher, Ms. McAfee and Mr. Frandsen voted in favor of the motion. Mr. de St. Aubin abstained from voting as he had not yet read the minutes.

Ms. Stowe-St. Clair made a motion to approve the

Minutes.

minutes with a minor amendment. Mr. Attallah seconded the motion.

Mr. Attallah, Ms. Stowe-St. Clair, Mr. Fisher, Ms. McAfee and Mr. Frandsen voted in favor of the motion. Mr. de St. Aubin abstained from voting as he had not yet read the minutes.

APPOINTMENTS:

9:16 A.M.

Ms. Taxin joined the meeting.

Ms. Taxin updated the Board regarding Mr. McCloyn.

10:00 A.M.

Henry McCloyn, Probationary Interview

Mr. McCloyn arrived at 10:10 for his probationary interview.

Mr. Fisher conducted the probationary interview.

Mr. McCloyn explained that he was late due to having to wait for the report from his therapist. Mr. McCloyn submitted the report to the Board.

Mr. Fisher reminded Mr. McCloyn that the Stipulation and Order require all reports to be submitted 2 weeks in advance of a Board meeting. He requested Mr. McCloyn to try to meet the requirement in the future.

Mr. Fisher asked Mr. McCloyn to report on his search for employment.

Mr. McCloyn reported that all the agencies where he has applied have commented that while he is on probation he is too big a risk. He stated that he has been interviewed for 4 positions and then not continued further in the hiring process due to the probation. He stated that he has previously worked in nursing homes and he has gone to several to apply for positions. He explained that since he is a Certified Social Worker he falls into the category of needing to have an LCSW supervisor which is difficult for many nursing homes to staff.

Mr. Fisher asked Mr. McCloyn to explain how he is dealing with the stress.

Mr. McCloyn responded that he is getting frustrated and it has been hard. He stated that his therapist has been good to listen to the frustrations.

Mr. Fisher commended Mr. McCloyn for using his resources. He asked Mr. McCloyn to address attending the required AA meetings.

Mr. McCloyn responded that he attended an AA meeting on January 21, 2007 as required and after going he is thinking of attending more regularly as it was helpful. He stated that he has his attendance card to submit today.

Ms. Taxin recommended he hold his original cards and make a copy for the Division file.

Mr. Fisher asked if Mr. McCloyn had the opportunity to rewrite his required report.

Mr. McCloyn responded that he spent some time doing research and talking with his therapist regarding the affects on the client and the therapist of having a dual relationship. He stated that he then spent some time thinking about the assignment and tried to write something worthwhile by using his thoughts, the research and including some scenarios of risks to clients in different areas.

He stated that he talked with his therapist about volunteering somewhere for about 20 hours a week as a line person and not as a therapist. He stated that the therapist thought it might be a good idea and then the therapist offered him a position in his agency. Mr. McCloyn said he thought about the offer and then turned it down based on a conflict of interest. He stated that his therapist smiled and told him he was starting to understand. Mr. McCloyn asked if the therapist was testing him on his thinking processing and the therapist responded that he was. Mr. McCloyn submitted the report for the Board to review.

Mr. Fisher remarked that the report appears to be very different from the one page report submitted last month.

Board members were requested to take the report home and review for accepting the report at the next Board meeting as meeting the requirement.

Mr. Fisher reminded Mr. McCloyn of the requirement to complete continuing education in the area of ethics and boundaries. He asked if Mr. McCloyn had submitted anything for the Board or Division to review and approve.

Mr. McCloyn responded that he has not yet submitted anything for review. He stated that the Stipulation and Order requires the CE to be completed within 12 months and he will start on the CE soon. He stated that he has found a lot of CE in the areas of ethics and boundaries on-line.

Ms. Taxin and Mr. Fisher reminded Mr. McCloyn to submit the information to Ms. Taxin to review and approve if the Board is not meeting for a few weeks as approval is required for the CE to count.

Mr. Fisher stated that the Board and Mr. McCloyn need to discuss his options as he is not working in the field as a CSW as required by his Stipulation and Order. He stated that the Board gave Mr. McCloyn until the end of January to be employed and that the time has been counted toward his probation. Mr. Fisher stated that the Board has discussed options for Mr. McCloyn as the probation time is to oversee his practice. He stated that Mr. McCloyn is not practicing as a CSW then there is nothing to oversee and the time would need to be suspended until he is working as a CSW.

Ms. Taxin commented that Mr. McCloyn has several requirements in his Stipulation and Order that he can work on to complete without being employed, such as the therapy, the UA's, the CE, the report he submitted and attending the AA meetings. Ms. Taxin stated that if he worked on these other requirements while he is unemployed then these requirements would be completed even if the time did not count. She stated that Mr. McCloyn could choose if he wants to complete other requirements of the Stipulation and Order or if he wants everything to be on hold until he is

employed.

Mr. McCloyn asked if the Stipulation and Order gave a time frame as to when he may request termination of probation.

Ms. Taxin responded that the Stipulation and Order says he may request termination of probation after 1 year but it is based on his being employed.

Mr. McCloyn asked what happens if everything is put on hold until he is employed.

Ms. Taxin responded that the time from signing the Stipulation and Order to present will count, which is roughly 2 months, and then everything would be put on hold until he is employed. She stated that she and the Board realize that the therapy and the UA's are costly but if he can work out the finances to continue both it would help him.

Mr. McCloyn responded that the therapist has been flexible and willing to work with him in regard to fees.

Mr. Fisher stated that the Board is not requesting a decision right now but would like Mr. McCloyn to consider his options and contact Ms. Taxin within the next 2 week with a decision.

Mr. McCloyn thanked the Board for the options. He then stated that he spoke with the Board in December regarding doing volunteer work for 20 hours a week. He stated that Mr. de St. Aubin had informed him that he must be an employee for the time to count. Mr. McCloyn asked again if that is true.

Ms. Taxin responded that Mr. de St. Aubin was correct in that Mr. McCloyn must been an employee of an agency with an LCSW supervisor. She stated that the compensation amount is not an issue but he could not be a volunteer.

Mr. Fisher stated that the Stipulation and Order requires Mr. McCloyn to be working a minimum of 16 hours a week.

Ms. Taxin stated that she would accept 10 hours a week initially to get Mr. McCloyn back into the work place and then move up to at least 16 hours a week.

An appointment was made for Mr. McCloyn to meet again April 12, 2007.

Mr. de St. Aubin reminded Mr. McCloyn to contact Ms. Taxin regarding his employment and his decision regarding his Stipulation and Order requirements.

Mr. McCloyn stated that he will continue to go to therapy and AA and drug test. He stated he will inform Ms. Taxin if an employment opportunity arises.

DISCUSSION ITEMS:

Discuss Ideas on How to Increase the Quality of Supervision for the Supervisors

Mr. Fisher requested the Board to review supervision requirements in the Law and Rule and be prepared for discussion at the March 1, 2007 Board meeting.

Ms. Taxin requested the Board to think about the purpose of supervision for a CSW obtaining their 4000 hours and for a probationer who needs supervision. Ms. Taxin stated that there is confusion regarding the supervision requirements. She stated that she believes that a good supervisor will train others to be good supervisors as people have a tendency to model what they learn. Ms. Taxin stated that if she were the supervisor she would review the Laws and Rules, interview the person she would be supervising and go over the Laws and Rules with the supervisee and review her expectations of the person being supervised. She stated that one supervisor she has spoken with asked her what she should talk about with the supervisee if there were no problems or issues. Ms. Taxin stated that she recommended they talk about ethics, boundaries and documentation and issues that are involved in the practice.

Mr. de St. Aubin stated that there are some guidelines identified in the Law.

Ms. Taxin responded that she received a phone call last night from a person being supervised who has not received supervision in all the required areas. She stated that the supervisee asked her what she should do. Ms. Taxin stated that she recommended the supervisee contact the supervisor and go over the requirements to be sure both understand the supervision.

Mr. de St. Aubin asked how the requirements apply if a supervisee is working in geriatrics or the prison where all areas required are not available.

Mr. Attallah responded that the population is not identified in the Laws and Rules but the modality is specifically identified.

Ms. Taxin responded that the supervisee must have training in all the modalities. She stated that, as a supervisor, there is a responsibility to be sure the supervisee has a well rounded experience.

Mr. Fisher stated that Ms. Taxin has given guidelines for the Board to consider for further discussion at the March 1, 2007 Board meeting.

Discuss Format for Interviewing Probationers

Mr. Fisher explained that Craig Jackson, former Division Director, had talked with the Board regarding condensing the probationary interviews to the matters that brought the probationer before the Board. He stated that Mr. Stanley, current Division Director, has made the same suggestion. He stated that Ms. McCall has developed a general outline for review and requested the Board remember that it is a generic for all professions. He requested the Board to review the information.

Mr. de St. Aubin responded that the form appears to be more of yes or no answer questions. He stated that he would like to see certain comments that might be helpful in keeping the Board focused on the specific issues and require more of a response from the probationer.

Ms. Taxin commented that from an efficiency perspective, the job of the Board is to make sure the person is completing the requirements of the

Stipulation and Order. She stated that there is no specific way to accomplish the task.

Ms. Taxin stated that Social Workers are more touchy feely and there is tendency to go further in the questions to make sure there is not a reoccurrence of offenses. She stated that the Board wants to make sure the probationer is making appropriate changes in their practice and their lives.

Ms. Taxin stated that Board members are not the change agents. She stated that the therapist and the supervisor are the change agents.

Mr. Attallah stated that the Stipulations are intended to help guide the probationer and for the Board to be a resource and to ensure the probationer is completing and meeting the requirements of the Stipulation and Order.

Ms. Taxin responded that Mr. Attallah is correct. She stated that the Stipulation and Order identify areas that will assist the probationer in making changes. Ms. Taxin suggested the Board make sure the questions they ask probationers are related to the probationer meeting the requirements of the Stipulation and Order.

Mr. de St. Aubin suggested the therapy questions be more about how the therapy is benefiting the probationer in regard to their issues rather than asking how therapy is going and requesting the probationer to explain to the Board the issues being discussed.

Mr. Fisher commented that the form has some open ended questions such as asking what the probationer has learned or gained from therapy regarding the situation and how the probationer has benefited from the therapy.

Ms. Taxin recommended the Board review the probationary form and be sure they ask questions that have not been asked before or questions regarding issues that have already been resolved. She stated that repetition of questions makes the Board and Division appear to be unorganized to

probationers.

Ms. McAfee recommended the Board interviewer should be assigned to a probation interview before Ms. Taxin gives the overview. She stated that she takes notes during Ms. Taxin's overview in order to be better prepared and able to ask specific questions.

Mr. de St. Aubin suggested the Board take a few minutes to go over the minutes from the last meeting and discuss which questions were more appropriate and more pertinent to each probationer.

Mr. de St. Aubin commented that he asked a probationer at the last meeting where he has applied for employment. He stated that the question makes the probationer think for a specific response.

Mr. Attallah stated that he had given a probationer some advice at the last meeting. He asked if that is appropriate.

Ms. Taxin responded that advice is not generally appropriate. She stated that most probationers have been meeting for some time and the appointments should now be shorter where a new probationer may take longer to review their specific requirements. She stated that if a probationer changes jobs or supervisors the appointment may need to be a little longer to be sure the probationer is stable.

9:50 A.M. – David Stanley, Division Director, joined the meeting.

Ms. Taxin briefly brought Mr. Stanley up to date on the discussion.

Mr. Fisher stated that for example that it probably was not appropriate to ask Mr. McCloyn if the complainant has contacted him.

Mr. de St. Aubin stated that the Board got caught up in trying to assist one probationer through a situation that made him appear vulnerable and that was probably inappropriate.

Ms. Taxin agreed and responded that the probationer should be talking with his therapist and his supervisor regarding help through a difficult situation.

Ms. Stowe-St. Clair commented that the probationer had several issues going on where he was depressed, changed employment and did not notify the Division.

Mr. Fisher commented that he wanted the probationer to leave the meeting feeling the Board had helped him.

Mr. Attallah stated that the Board should be assessing progress of probationers and redirecting them to utilize their resources for assistance with issues.

Ms. Taxin stated that there might be times when the Board could recommend additional resources besides the therapist. She stated that the Board does spend too much time on some issues that do not apply to probation and then do not have the time necessary to address the probation issues.

Mr. Stanley commented that all professions have a tendency to over state their words. He stated that his counsel to the Board is to let their words be few. He stated that probationers will leave the meeting feeling better as the Board has dealt with them succinctly and properly according to the order.

Ms. Taxin concluded that she will assign the probationary interview to Board members in advance for the Board to plan pertinent questions.

Update on the Schedule for Rule Amendments

Ms. Taxin stated that her focus right now is on the Legislature as there are several Bills this year.

She stated that there are many agencies and supervisors who have questions regarding the specific duties of an SSW.

She stated that a large issue is the lack of education programs available for those individuals who need the social work practice methods course. Ms. Taxin stated that the University of Utah called the Division to ask for a guarantee of students if they put together courses to meet the social work practice methods

requirements. Ms. Taxin stated that the Division cannot guarantee students. She reminded the Board that the DCFS program was a good program but really did not cover the full requirements. Ms. Taxin stated that the University of Phoenix is the only program that offers the complete social work practice methods course at this time. She stated that she tries to make the rules more clear and then finds out that there are people who have practiced as a Social Service Worker for 20 or 30 years who are not licensed. She stated that the scope of practice is unclear and she needs the Board's assistance in making it clearer.

Ms. Taxin stated that another area that needs better clarification is the educational requirement of a Bachelor degree of Social Work. She asked what the Division is regulating on the Bachelor level. She questioned the Bachelor level should be regulated.

Ms. Stowe-St. Clair stated that she has a concern that SSW's are applying for positions and are not hired as they have not worked for DCFS first. She stated that the unlicensed person is hired to do the job at a lesser pay before the licensed person is hired.

Ms. Taxin stated that scope of practice for the Social Service Worker is unclear and the agencies create a name for that position that means the same as the Social Service Worker. Ms. Taxin stated that it appears health care facilities Law require a Bachelor degree but do not require a license. She stated that if the facility is a 100 bed facility the requirements are different than a facility with over 120 beds. Ms. Taxin stated that she is concerned about the safety of the public.

Mr. de St. Aubin responded that the public is protected by having a licensed person doing the specific duties that require a license.

Mr. Attallah stated that there should be a plan on how to bring agencies into licensure compliance over a period of time.

Mr. Fisher commented that issues have been identified. He asked what recommendations the

Board has to solve the issues.

Ms. Stowe-St. Clair responded that the Board has discussed a lower level of licensing to allow people to continue to work.

Ms. Taxin stated that she has also discussed a lower level of licensing such as a Social Service Aide or the Health Care Assistant. She stated that one of the Legislators commented that he is not for more regulation and more licenses as it causes problems.

She stated that she is still working on the rules. Ms. Taxin suggested the Board re-clarify what the Social Service Worker does and let the others continue to work where they are. She stated that she and the Board can make the changes in the Rules but the Association will have to make some decisions regarding fixing the Law.

Mr. de St. Aubin suggested Ms. Taxin review the ASWB website regarding an overview of all licensing levels of each State.

Mr. de St. Aubin stated that Farrina Coulam at the University of Utah (U of U) was worried about putting together a course and then not having anyone enroll. He stated that the U of U is willing to put together a course that would cover all the components of the practice methods, offer the course every fall and under fill if necessary. Mr. de St. Aubin stated that he reviewed the syllabus for the course and determined that it is broader than the University of Phoenix course on case management.

Ms. Taxin recommended Mr. de St. Aubin ask Dr. Coulam to contact Ms. McCall to be put on the agenda for further discussion at the March 1, 2007 Board meeting.

Ms. Taxin responded that when she attended the ASWB Conference other States were discussing having a Social Service Worker level of licensing. She stated that she was informed that Utah and Massachusetts are the only States licensing the Social Service Worker.

Ms. Taxin requested Board members to e-mail her by February 16, 2007, a list of 5 or 6 high risk scope of practice duties that would require a Social Service Worker license. She stated that she will then review the lists and prepare information for the Board to review at the March 1, 2007 Board meeting.

Review May schedule to change the meeting from May 10 to May 17, 2007.

Board members reviewed their schedules and determined that May 17, 2007 would work for the May Board Meeting.

2007 Board Meeting Schedule

The Board noted the following dates for the 2007 Board meeting schedule: March 1, April 12, May 17, June 7, July 12, August 2, September 6, October 4, November 1 and December 6, 2007.

CORRESPONDENCE:

Dave Felt Request to Supervise more than 3 CSW's

The Board reviewed Mr. Felt's request to supervise 1 full time CSW, 2 part time CSW's, 2 part time MSW Interns and 1 part time CPC Intern.

Mr. de St. Aubin made a motion to approve Mr. Felt's request based on 2 part time people would equal 1 full time person which would be 3 ½ full time people and based on Mr. Felt's personal case load.

Mr. Frandsen seconded the motion.

The Board vote was unanimous.

ASWB Information and Dates regarding Board Member Training Sessions for 2007, March 9-11, June 22-24 and August 24-26, 2007

The Board reviewed the ASWB information for Board Member Training Sessions.

Mr. Attallah voiced interest in attending either the June or August sessions. Ms. McAfee voiced interest in attending a session.

Both were requested to review their schedules and contact Ms. McCall regarding the dates they will attend the training sessions.

ASWB Spring Education Meeting for April 26-29, 2007

The Board reviewed the ASWB Spring Education Meeting information and determined that they would not be available to attend.

Ms. Taxin stated that she could try to attend.

The Board encouraged Ms. Taxin to attend.

The ASWB Association Newsletter

The Board reviewed the ASWB Association Newsletter.

Mr. Attallah commented that he is not receiving the newsletter and asked Ms. McCall to contact ASWB to be sure he is on the list to receive future newsletters.

NEXT MEETING SCHEDULED FOR:

March 1, 2007

MEETING ADJOURNED AT:

12:18 P.M.

Date Approved

Chairperson, Utah Social Work Licensing Board

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing